REMARKS

Claims 1-31 have been examined. Claims 1-31 have been rejected under 35 U.S.C. § 103(a).

I. Preliminary Matters

As indicated in the September 26, 2001 Office Action, the Examiner has approved Applicant's proposed corrections of Figs. 11 and 21(b), submitted on September 3, 1999. Accordingly, Applicant submits herewith substitute formal drawings for Figs. 11 and 21(b).

II. Rejection under 35 U.S.C. § 103(a) over U.S. Patent No. 6,055,361 to Fujita et al., ("Fujita") to U.S. Patent No. 6,433,884 B1 to Kawakami ("Kawakami").

Claims 1-19 and 23-31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Fujita and Kawakami.

During Applicant's review of the Office Action, Applicant realized that the rejection of claims 20-22 cited the McCormick reference, rather than Fujita. Accordingly, the undersigned contacted the Examiner on September 24, 2003 to inquire about the discrepancy. The Examiner stated that claims 20-22 were intended to be rejected over McCormick and Kawakami. Therefore, the Examiner faxed an Interview Summary, which acknowledged the error.

Also, for simplification purposes, Applicant's comments are arranged in the sequential order of the claims (i.e. 1, 2, 3, etc.), rather than the order presented by the Examiner in the Office Action.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites a reply information issuance means for generating print job data, which contains both print data and reply information. The reply information issuance means generates the print job data by locating the reply information at a predetermined position with respect to the print data. The print job data is then transmitted to a printer.

The Examiner maintains that Fujita discloses the claimed print job data. In particular, the Examiner maintains that the "commands" and "data" disclosed in col. 5, lines 7-9 and lines 61-63, suggest the print job data. However, such portions just state that commands and data are sent to a printer 20 and sequentially queued into an input buffer 22 in accordance with a receiving order of each (col. 5, lines 7-9). Therefore, the "commands" and the "data" are two discrete separate forms of data. They do not disclose one combined print job data to be sent to a printer, as required by claim 1. For example, even by assuming *arguendo* that the "commands" disclose the claimed reply information, the commands are not located at a "predetermined position" of the data before the data is transmitted to the printer 20 (i.e. the input buffer 22) (Fig. 1 or 2). In addition, since the commands are just queued with the data in the order that they are received, it appears that there is no predetermined position of the commands even after they are sent to the printer 20. Accordingly, Applicant submits that the two separate forms of information taught by Fujita fail to teach or disclose the claimed composite print job data.

In addition, claim 1 recites a print job data processing means disposed in the printer. The print job data processing means returns a part of the print job data, which indicates a process

state of the print job data based on the reply information, to a predetermined destination which is external to the printer.

The Examiner maintains that Fujita discloses the above features. In particular, the Examiner maintains that steps 1903 to 1905 disclose that a part of the print job data, which indicates a process state of the print job based on the reply information, is returned to a predetermined position which is external to the printer (Fig. 19; col. 12, lines 11-30). However, as disclosed in the reference, when an urgent command requests the page number under printing, the microcomputer 230 inquires the page number from page monitor 50 (col. 12, lines 11-18). The page monitor 50 reads out a page number from a memory 52 and a paper feeding status bit from memory 53, and transfers the result to the I/F controller (col. 12, lines 18-24). The I/F controller then returns the status from memory's 52 and 53 to the host computer (col. 12, lines 24-25). Therefore, it is data from memory's 52 and 53 which is returned to the host computer, not a part of the original print job data, as required by claim 1. Applicant submits that page information obtained from page monitor 50 is not equivalent to a part of the original urgent command.

Accordingly, even by assuming *arguendo* that the commands and data discussed above disclose the claimed composite print job data and the host computer of Kawakami discloses the predetermined destination, the reference still fails to teach or disclose all the features of claim 1 (i.e. since it is different data from the print job data which is returned to the predetermined destination).

Claim 1 further recites that the predetermined destination is included in intrinsic data of the reply information.

The Examiner acknowledges that Fujita fails to teach or suggest such a feature, but contends that Kawakami does. In particular the Examiner maintains that the 5th byte disclosed in Kawakami teaches a predetermined destination of reply information (col. 4, lines 46-50). However, the reference never defines the 5th byte packet type. Rather, the reference just states that the 5th byte packet type indicates one of four packet types (col. 4, lines 52-55). As shown in Fig. 4, the packet types include a command packet, a report command, a reply packet to return command, and a reply packet to return status. There is no disclosure as to what is intended by the reply packets or what specific data is returned to a predetermined destination. In particular, since there is no disclosure of the reply packets, one cannot determine if "a part of" the print job data (i.e. print job file) is returned to the pre-determined destination, as required by claim 1. Absent such a teaching, Applicant submits that Kawakami fails to cure the deficient teachings of Fujita.

In light of the above, Applicant submits that the combination of Fujita and Kawakami fails to teach or suggest the features of claim 1. Accordingly, Applicant submits that claim 1 is patentable.

B. Claims 2-10

Since claims 2-10 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claim 11

Since claim 11 contains features which are analogous to the features recited in claim 1, Applicant submits that such claim is patentable over the cited references for at least analogous reasons as presented above.

D. Claims 12-19

Since claims 12-19 are dependent upon claim 11, Applicant submits that such claims are patentable at least by virtue of their dependency.

E. Claim 23

Since claim 23 contains features which are analogous to the features recited in claim 1, Applicant submits that claim 23 is patentable for at least similar reasons as presented above.

F. Claim 24

Since claim 24 contains features which are analogous to the features recited in claim 1, Applicant submits that claim 24 is patentable for at least similar reasons as presented above.

G. Claims 25-27 and 30

Since claims 25-27 and 30 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

H. Claims 28, 29 and 31

Since claims 28, 29 and 31 are dependent upon claim 11, Applicant submits that such claims are patentable at least by virtue of their dependency.

III. Rejection under 35 U.S.C. § 103(a) over U.S. Patent No. 5,706,411 to McCormick et al. ("McCormick") in view of Kawakami.

Claims 20-22 have been rejected as being unpatentable over McCormick in view of Kawakami. As stated previously, the Examiner indicated that claims 20-22 were intended to be rejected in view of McCormick, rather than Fujita.

A. Claim 20

Applicant submits that claim 20 is patentable over the cited reference. For example, claim 20 recites that reply information is issued at a predetermined position of a print job data containing print data. In a job processing state monitor function, a process state of the print job data is monitored based on a part of the print job data which is returned from the printer in accordance with the reply information.

The Examiner maintains that McCormick discloses the above feature. However, the queue processor 600 of McCormick sends a status request to a printer via a communication driver 1604 and receives status information from the printer via the communication driver 1604 (col. 8, lines 23-58). The status information is separate and independent from the status request. Therefore, McCormick fails to teach or suggest that the same information which is generated

(i.e. print job data) is also returned (i.e. part of print job data), as required by claim 20. Further, since the status information is separate and independent from the status request, the disclosed status information fails to teach or disclose the reply information, which was previously issued at a predetermined position of the print job data, as required by claim 20.

Claim 20 further recites that the reply information intrinsically includes a predetermined destination for replying the process state.

The Examiner acknowledges that McCormick fails to teach or disclose such a feature, but contends that the 5th byte of Kawakami does (col. 4, lines 47-50). However, similar to Applicant's previous statements regarding Kawakami, Applicant submits that the reference fails to teach or disclose such a feature. For example, Kawakami never defines the 5th byte packet type. Rather, the reference just states that the 5th byte packet type indicates one of four packet types (col. 4, lines 52-55). As shown in Fig. 4, the packet types include a command packet, a report command, a reply packet to return command, and a reply packet to return status. There is no disclosure as to what is intended by the reply packets or what specific data is returned to a predetermined destination. For example, since there is no disclosure of the reply packets, one cannot determine if any of the print job data is returned to the pre-determined destination, as required by claim 20. Absent such a teaching, Applicant submits that Kawakami fails to cure the deficient teachings of McCormick.

In light of the above, Applicant submits that the combination of McCormick and Kawakami fails to teach or suggest the features of claim 20. Accordingly, Applicant submits that claim 20 is patentable.

B. Claims 21 and 22

Since claims 21 and 22 are dependent upon claim 20, Applicant submits that such claims are patentable at least by virtue of their dependency.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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